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PATENT  
Docket No.: 54404US008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: RAYMOND P. JOHNSTON, MATTHEW T. SCHOLZ, STEVEN B. HEINECKE  
AND CHARLES A. HENTZEN  
Application No.: 09/961,091 Group Art Unit: 3761  
Filed: January 14, 2002 Examiner: K. Lewis  
Title: MEDICAL ARTICLE HAVING FLUID CONTROL FILM

**NOTICE OF APPEAL PURSUANT TO 37 CFR § 1.191**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:  
April 6, 2004  
Date  
Signed by: Judy L. Hansen

Dear Sir:

An appeal is made to the Board of Patent Appeals and Interferences from the last decision of the Examiner dated October 7, 2003 rejecting claims 36-60.

Because a reply to the Final Office Action was filed within two months of the Final Office Action being mailed, and an Advisory Action in response to the reply has not been mailed, this Notice of Appeal is believed to be timely filed and no extension fee is believed due.

Please charge the fee of \$330.00 provided in 37 CFR § 1.17(b), and if necessary, charge any additional fees, or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

Respectfully submitted,

April 6, 2004  
Date

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Office of Intellectual Property Counsel  
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Facsimile No.: 651-736-3833

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